



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-3503 FAX (603) 271-5171



February 13, 2004

LETTER OF DEFICIENCY #WSEB 04-017
CERTIFIED MAIL 7000 0600 0023 9932 6634

Stanley Oliver
Yankee Pump and Filter Co.
PO Box 697
Strafford, NH 03825

Subject: Strafford - Public Water System: Bow Lake Estates (EPA #2212010)

Dear Mr. Oliver:

The records of the Department of Environmental Services (DES) show that the Bow Lake Estates water system is classified as a public water system (PWS), as defined by RSA 485:1-a. A PWS is defined as any water system supplying 15 or more services, or 25 or more people, for 60 or more days per year. As such, the water system owner is required to submit samples to the State laboratory or a State-certified laboratory for coliform bacteria analysis in compliance with NH Admin. Rule Env-Ws 325.

DES records show that the subject water system failed to submit repeat bacteria samples and as a result a Monitoring/Report (M/R) violation was issued for the month of **September 2003** (copy of Notice of Violation (NOV) dated October 23, 2003 enclosed). Please note that the September 2003 violation was incurred as a result of failure to submit four repeat samples following a positive routine sample (Notice of Positive Bacteria Results letter dated October 3, 2003 enclosed).

Pursuant to Env-Ws 351, owners of public water systems are required to issue public notification when a system has failed to monitor for bacteriological water quality. As a result of the failure to perform public notification for the September 2003 M/R violation, a NOV dated January 7, 2004, was sent to you (copy enclosed). The NOV requested that you issue public notification within 30 days of learning of the M/R violation and submit a copy to DES immediately. To date, no proof of public notice has been received by DES, thus placing the water system in violation of Env-Ws 351.01.

In view of the public notice violation, DES believes the deficiencies can be corrected, and future violations prevented, by taking the following actions:

- By February 27, 2004** carry out the public notice requirements for the September 2003 sampling violation; and
2. **By March 12, 2004**, provide proof of public notice to DES.

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If you have already done the public notice, then please forward it Barbara Thoits at the address listed on the form immediately.

In the event compliance is not achieved within the above set forth time period, DES may take further enforcement action, including issuing an order requiring the deficiencies be corrected, initiating an administrative fine proceeding and/or referring the matter to the NH Department of Justice for imposition of appropriate penalties.

Please continue to submit water samples according to the water system's Master Sampling Schedule enclosed.

Please contact Anne Bailey by phone at (603) 271-0672 or by e-mail at abailey@des.state.nh.us if you have any questions regarding this letter.

Sincerely,

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Enclosures: Notice of Positive Bacteria Results dated October 3, 2003
M/R Notice of Violation dated October 23, 2003
P/N Notice of Violation dated January 7, 2004
Master Sampling Schedule
Bacteria M/R Public Notice Form

cc: Gretchen Rule, DES Legal Unit
Town of Strafford Health Officer
EPA, Region 1